

Chief Administrative Officer of the House of Representatives.

(b) REPORT ON INTELLIGENCE SUPPORT.—

(1) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Director of the Federal Bureau of Investigation and the Secretary of Homeland Security, shall submit to the appropriate committees of Congress a report on intelligence support provided to the Sergeants at Arms and the United States Capitol Police.

(2) ELEMENTS.—The report required by paragraph (1) shall include a description of the following:

(A) Policies related to the Sergeants at Arms and the United States Capitol Police as customers of intelligence.

(B) How the intelligence community, the Federal Bureau of Investigation, and the Department of Homeland Security, including the Cybersecurity and Infrastructure Security Agency, are structured, staffed, and resourced to provide intelligence support to the Sergeants at Arms and the United States Capitol Police.

(C) The classified electronic and telephony interoperability of the intelligence community, the Federal Bureau of Investigation, and the Department of Homeland Security with the Sergeants at Arms and the United States Capitol Police.

(D) Any expedited security clearances provided for the Sergeants at Arms and the United States Capitol Police.

(E) Counterterrorism intelligence and other intelligence relevant to the physical security of Congress that are provided to the Sergeants at Arms and the United States Capitol Police, including—

(i) strategic analysis and real-time warning; and

(ii) access to classified systems for transmitting and posting intelligence.

(F) Cyber intelligence relevant to the protection of cyber networks of Congress and the personal devices and accounts of Members and employees of Congress, including—

(i) strategic and real-time warnings, such as malware signatures and other indications of attack; and

(ii) access to classified systems for transmitting and posting intelligence.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(c) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the capacity of the Sergeants at Arms and the United States Capitol Police to access and use intelligence and threat information relevant to the physical and cyber security of Congress.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An assessment of the extent to which the Sergeants at Arms and the United States Capitol Police have the resources, including facilities, cleared personnel, and necessary training, and authorities to adequately access, analyze, manage, and use intelligence and threat information necessary to defend the physical and cyber security of Congress.

(B) The extent to which the Sergeants at Arms and the United States Capitol Police communicate and coordinate threat data with each other and with other local law enforcement entities.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

#### SEC. 604. STUDY ON VULNERABILITY OF GLOBAL POSITIONING SYSTEM TO HOSTILE ACTIONS.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term “appropriate committees of Congress” means—

(1) the congressional intelligence committees;

(2) the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(3) the Committee on Armed Services, the Committee on Science, Space, and Technology, the Committee on Foreign Affairs, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

(b) STUDY REQUIRED.—The Director of National Intelligence shall, in consultation with the Secretary of Defense, the Secretary of Commerce, and the Secretary of Transportation, conduct a study on the vulnerability of the Global Positioning System (GPS) to hostile actions, as well as any actions being undertaken by the intelligence community, the Department of Defense, the Department of Commerce, the Department of Transportation, and any other elements of the Federal Government to mitigate any risks stemming from the potential unavailability of the Global Positioning System.

(c) ELEMENTS.—The study conducted under subsection (b) shall include net assessments and baseline studies of the following:

(1) The vulnerability of the Global Positioning System to hostile actions.

(2) The potential negative effects of a prolonged Global Positioning System outage, including with respect to the entire society, to the economy of the United States, and to the capabilities of the Armed Forces.

(3) Alternative systems that could back up or replace the Global Positioning System, especially for the purpose of providing positioning, navigation, and timing, to United States civil, commercial, and government users.

(4) Any actions being planned or undertaken by the intelligence community, the Department of Defense, the Department of Commerce, the Department of Transportation, and other elements of the Federal Government to mitigate any risks to the entire society, to the economy of the United States, and to the capabilities of the Armed Forces, stemming from a potential unavailability of the Global Positioning System.

(d) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report in writing and provide such committees a briefing on the findings of the Director with respect to the study conducted under subsection (b).

#### SEC. 605. AUTHORITY FOR TRANSPORTATION OF FEDERALLY OWNED CANINES ASSOCIATED WITH FORCE PROTECTION DUTIES OF INTELLIGENCE COMMUNITY.

Section 1344(a)(2)(B) of title 31, United States Code, is amended by inserting “, or transportation of federally owned canines associated with force protection duties of any part of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003))” after “duties”.

SA 4617. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize ap-

propriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ ADMINISTRATIVE FALSE CLAIMS.

(a) CHANGE IN SHORT TITLE.—

(1) IN GENERAL.—Subtitle B of title VI of the Omnibus Budget Reconciliation Act of 1986 (Public Law 99-509; 100 Stat. 1934) is amended—

(A) in the subtitle heading, by striking “Program Fraud Civil Remedies” and inserting “Administrative False Claims”; and

(B) in section 6101 (31 U.S.C. 3801 note), by striking “Program Fraud Civil Remedies Act of 1986” and inserting “Administrative False Claims Act”.

(2) REFERENCES.—Any reference to the Program Fraud Civil Remedies Act of 1986 in any provision of law, regulation, map, document, record, or other paper of the United States shall be deemed a reference to the Administrative False Claims Act.

(b) REVERSE FALSE CLAIMS.—Chapter 38 of title 31, United States Code, is amended—

(1) in section 3801(a)(3), by amending subparagraph (C) to read as follows:

“(C) made to an authority which has the effect of concealing or improperly avoiding or decreasing an obligation to pay or transmit property, services, or money to the authority.”; and

(2) in section 3802(a)(3)—

(A) by striking “An assessment” and inserting “(A) Except as provided in subparagraph (B), an assessment”; and

(B) by adding at the end the following:

“(B) In the case of a claim described in section 3801(a)(3)(C), an assessment shall not be made under the second sentence of paragraph (1) in an amount that is more than double the value of the property, services, or money that was wrongfully withheld from the authority.”.

(c) INCREASING DOLLAR AMOUNT OF CLAIMS.—Section 3803(c) of title 31, United States Code, is amended—

(1) in paragraph (1), by striking “\$150,000” each place that term appears and inserting “\$1,000,000”; and

(2) by adding at the end the following:

“(3) ADJUSTMENT FOR INFLATION.—The maximum amount in paragraph (1) shall be adjusted for inflation in the same manner and to the same extent as civil monetary penalties under the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. 2461 note).”.

(d) RECOVERY OF COSTS.—Section 3806(g)(1) of title 31, United States Code, is amended to read as follows:

“(1)(A) Except as provided in paragraph (2)—

“(i) any amount collected under this chapter shall be credited first to reimburse the authority or other Federal entity that expended costs in support of the investigation or prosecution of the action, including any court or hearing costs; and

“(ii) amounts reimbursed under clause (i) shall—

“(I) be deposited in—

“(aa) the appropriations account of the authority or other Federal entity from which the costs described in subparagraph (A) were obligated;

“(bb) a similar appropriations account of the authority or other Federal entity; or

“(cc) if the authority or other Federal entity expended nonappropriated funds, another appropriate account; and

“(II) remain available until expended.

“(B) Any amount remaining after reimbursements described in subparagraph (A) shall be deposited as miscellaneous receipts in the Treasury of the United States.”.

(e) SEMIANNUAL REPORTING.—Section 5(b) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (4), by striking “and” at the end;

(2) by redesignating paragraph (5) as paragraph (6); and

(3) by inserting after paragraph (4) the following:

“(5) information relating to cases under chapter 38 of title 31, United States, including—

“(A) the number of reports submitted by investigating officials to reviewing officials under section 3803(a)(1) of title 31, United States Code;

“(B) actions taken in response to reports described in subparagraph (A), which shall include statistical tables showing—

“(i) pending cases;

“(ii) resolved cases;

“(iii) the average length of time to resolve each case;

“(iv) the number of final agency decisions that were appealed to a district court of the United States or a higher court; and

“(v) if the total number of cases in a report is greater than 2—

“(I) the number of cases that were settled; and

“(II) the total penalty or assessment amount recovered in each case, including through a settlement or compromise; and

“(C) instances in which the reviewing official declined to proceed on a case reported by an investigating official; and”.

(f) INCREASING EFFICIENCY OF DOJ PROCESSING.—Title 31, United States Code, is amended—

(1) in section 3803(j)—

(A) by inserting “(1)” before “The reviewing”; and

(B) by adding at the end the following:

“(2) A reviewing official shall notify the Attorney General in writing not later than 30 days before entering into any agreement to compromise or settle allegations of liability under section 3802 of this title and before the date on which the reviewing official is permitted to refer allegations of liability to a presiding officer under subsection (b).”;

(2) in the table of sections for chapter 38, by striking the item relating to section 3812 and inserting the following:

“3812. Delegation authority.”; and

(3) in section 3812—

(A) in the section heading, by striking “**Prohibition against delegation**” and inserting “**Delegation authority**”; and

(B) by striking “, shall not be delegated to, or carried out by,” and inserting “may be delegated to”.

(g) REVISION OF DEFINITION OF HEARING OFFICIALS.—

(1) IN GENERAL.—Chapter 38 of title 31, United States Code, is amended—

(A) in section 3801(a)(7)—

(i) in subparagraph (A), by striking “or” at the end;

(ii) in subparagraph (B)(vii), by adding “or” at the end; and

(iii) by adding at the end the following:

“(C) a member of the board of contract appeals pursuant to section 7105 of title 41, if the authority does not employ an available presiding officer under subparagraph (A);”;

and

(B) in section 3803(d)(2)—

(i) in subparagraph (A), by striking “and” at the end;

(ii) in subparagraph (B)—

(I) by striking “the presiding” and inserting “(i) in the case of a referral to a pre-

siding officer described in subparagraph (A) or (B) of section 3801(a)(7), the presiding”;

(II) in clause (i), as so designated, by striking the period at the end and inserting “; or”; and

(III) by adding at the end the following:

“(ii) in the case of a referral to a presiding officer described in subparagraph (C) of section 3801(a)(7)—

“(I) the reviewing official shall submit a copy of the notice required by under paragraph (1) and of the response of the person receiving such notice requesting a hearing—

“(aa) to the board of contract appeals that has jurisdiction over matters arising from the agency of the reviewing official pursuant to section 7105(e)(1) of title 41; or

“(bb) if the Chair of the board of contract appeals declines to accept the referral, to any other board of contract appeals; and

“(II) the reviewing official shall simultaneously mail, by registered or certified mail, or shall deliver, notice to the person alleged to be liable under section 3802 that the referral has been made to an agency board of contract appeals with an explanation as to where the person may obtain the relevant rules of procedure promulgated by the board; and”;

(iii) by adding at the end the following:

“(C) in the case of a hearing conducted by a presiding officer described in subparagraph (C) of section 3801(a)(7)—

“(i) the presiding officer shall conduct the hearing according to the rules and procedures promulgated by the board of contract appeals; and

“(ii) the hearing shall not be subject to the provisions in subsection (g)(2), (h), or (i).”.

(2) AGENCY BOARDS.—Section 7105(e) of title 41, United States Code, is amended—

(A) in paragraph (1), by adding at the end the following:

“(B) ADMINISTRATIVE FALSE CLAIMS ACT.—

“(i) IN GENERAL.—The boards described in subparagraphs (B), (C), and (D) shall have jurisdiction to hear any case referred to a board of contract appeals under section 3803(d) of title 31.

“(ii) DECLINING REFERRAL.—If the Chair of a board described in subparagraph (B), (C), or (D) determines that accepting a case under clause (i) would prevent adequate consideration of other cases being handled by the board, the Chair may decline to accept the referral.”; and

(B) in paragraph (2), by inserting “or, in the event that a case is filed under chapter 38 of title 31, any relief that would be available to a litigant under that chapter” before the period at the end.

(3) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, each authority head, as defined in section 3801 of title 31, United States Code, and each board of contract appeals of a board described in subparagraphs (B), (C), and (D) of section 7105(e) of title 41, United States Code, shall amend procedures regarding proceedings as necessary to implement the amendments made by this subsection.

(h) REVISION OF LIMITATIONS.—Section 3803 of title 31, United States Code, is amended by striking subsection (a) and inserting the following:

“(a) A notice to the person alleged to be liable with respect to a claim or statement shall be mailed or delivered in accordance with section 3803(d)(1) of this title not later than the later of—

“(1) 6 years after the date on which the violation of section 3802 of this title is committed; or

“(2) 3 years after the date on which facts material to the action are known or reasonably should have been known by the authority head, but in no event more than 10 years

after the date on which the violation is committed.”.

(i) DEFINITIONS.—Section 3801 of title 31, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (8), by striking “and” at the end;

(B) in paragraph (9), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(10) ‘material’ has the meaning given the term in section 3729(b) of this title; and

“(11) ‘obligation’ has the meaning given the term in section 3729(b) of this title.”;

(2) by adding at the end the following:

“(d) For purposes of subsection (a)(10), materiality shall be determined in the same manner as under section 3729 of this title.”.

(j) PROMULGATION OF REGULATIONS.—Not later than 180 days after the date of enactment of this Act, each authority head, as defined in section 3801 of title 31, United States Code, shall—

(1) promulgate regulations and procedures to carry out this section and the amendments made by this section; and

(2) review and update existing regulations and procedures of the authority to ensure compliance with this section and the amendments made by this section.

**SA 4618.** Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle B of title V, add the following:

#### **SEC. 520B. PROHIBITED EXTREMIST ACTIVITIES.**

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall amend Department of Defense Instruction (DoDI) 1325.06 to provide that military personnel may not actively engage in, threaten, or advocate—

(1) conduct that promotes illegal discrimination based on race, creed, color, sex, religion, ethnicity, or national origin; or

(2) conduct that threatens or advocates the use of force, violence, or criminal activity to achieve political or ideological objectives.

**SA 4619.** Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

#### **SEC. 744. DELAY OF COVID-19 VACCINE MANDATE FOR MEMBERS OF THE ARMED FORCES AND ADDITIONAL REQUIREMENTS RELATING TO VACCINE MANDATES.**

(a) DELAY OF VACCINE MANDATE.—The Secretary of Defense may not require members of the Armed Forces to receive the vaccination for coronavirus disease 2019 (commonly